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21 Attorneys for Defendants
22 COUNTY OF SAN JOAQUIN,
23 DAVID KWONG, and JUANITA M. HUERTA

24 UNITED STATES DISTRICT COURT

25 EASTERN DISTRICT OF CALIFORNIA

26 SACRAMENTO DIVISION

27 HOFFMAN BROS. HARVESTING, INC., et al.,

28 Case No. 2:20-cv-00660-TLN-AC

Plaintiffs,

vs.

COUNTY OF SAN JOAQUIN, et al.,

Defendants.

**JOINT STIPULATION TO CONTINUE
HEARING ON MOTION TO DISMISS;
ORDER**

24 Pursuant to E.D. Cal. L.R. 230(f), the parties—Plaintiffs Hoffman Brothers Harvesting, Inc., Paul
25 D. Hoffman & Sons, Ronald E. Hoffman, and Carl R. Hoffman (collectively, “Plaintiffs”) and
26 Defendants County of San Joaquin, David Kwong, and Juanita M. Huerta (collectively, “Defendants”)—
27 submit the following joint stipulation to continue the hearing date on Defendants’ pending motion to
28 dismiss (ECF No. 6).

STIPULATION

WHEREAS, Defendants' pending motion to dismiss was originally noticed and scheduled for hearing on July 23, 2020 (ECF No. 6);

WHEREAS, the parties jointly stipulated to continue the hearing to September 17, 2020 (ECF No. 8), and the Court granted the stipulation (ECF No. 9);

WHEREAS, the parties jointly stipulated to further continue the hearing to November 12, 2020 (ECF No. 10), and the Court granted the stipulation (ECF No. 11);

WHEREAS, the parties jointly stipulated to further continue the hearing to January 21, 2021 (ECF No. 12), and the Court granted the stipulation (ECF No. 13); and

WHEREFORE, the parties' counsel have discussed, and continue to discuss, potential early alternative dispute resolution in this case and a further continuance of the hearing date is necessary to facilitate these settlement discussions—specifically, Defendants have made a proposal to resolve the parties' dispute and, most recently, Plaintiffs have made a counter-proposal, which Defendants intend to consider;

NOW, THEREFORE, the parties agree and stipulate that:

Defendants' pending motion to dismiss, currently scheduled to be heard before this Court January 21, 2021, be CONTINUED to February 18, 2021, at 2:00 p.m.

IT IS SO STIPULATED.

Dated: January 6, 2021

Respectfully Submitted,
LAW OFFICE OF MARK E. MERIN

/s/ Mark E. Merin

By: _____

Attorney for Plaintiffs
HOFFMAN BROTHERS HARVESTING, INC.,
PAUL D. HOFFMAN & SONS, RONALD E.
HOFFMAN, and CARL R. HOFFMAN

1 Dated: January 6, 2021

Respectfully Submitted,
COLE HUBER LLP

2
3 /s/ *Derek P. Cole*
4 (as authorized on January 6, 2021)

By: _____

5 Derek P. Cole
Ronald J. Scholar

6 Attorneys for Defendants
7 COUNTY OF SAN JOAQUIN,
8 DAVID KWONG, and JUANITA M. HUERTA

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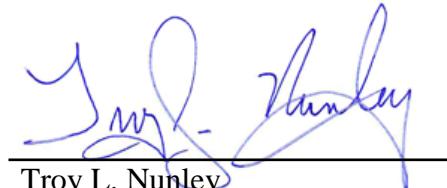
10 **ORDER**

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12 GOOD CAUSE APPEARING, the parties' stipulation is GRANTED.

13 Defendants' pending motion to dismiss (ECF No. 6), currently scheduled to be heard before this
14 Court on January 21, 2021, is CONTINUED to February 18, 2021, at 2:00 p.m.

15 IT IS SO ORDERED.

16 Dated: January 7, 2021



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19 Troy L. Nunley
20 United States District Judge
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